

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|                               |   |                          |
|-------------------------------|---|--------------------------|
| DARRIN WHITE,                 | ) |                          |
|                               | ) |                          |
| Petitioner,                   | ) |                          |
|                               | ) |                          |
| v.                            | ) | Civil Action No. 05-281J |
|                               | ) | Judge Gibson             |
| SUPERINTENDENT ROZUM, et al., | ) | Magistrate Judge Caiazza |
|                               | ) |                          |
| Respondents.                  | ) |                          |

**MEMORANDUM ORDER**

Darrin White's Petitioner for Writ of Habeas Corpus was received by the Clerk of Court on June 14, 2005, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on March 15, 2006, recommended that the Petition for Writ of Habeas Corpus filed by Darrin White be denied because he failed to exhaust his state court remedies.

The parties were allowed ten days from the date of service to file objections. Service was made on the Petitioner by First Class United States Mail delivered to the State Correctional Institution at Somerset, Somerset, Pennsylvania, where he is incarcerated and on the Defendant. No objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 5<sup>th</sup> day of April, 2006,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Darrin White is DENIED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 14), dated March 15, 2006, is adopted as the opinion of the court.

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

Kim R. Gibson  
U.S. District Judge

CC:  
Darrin White, AS-2610  
SCI Somerset  
1600 Walters Mill Road  
Somerset, PA 15510-0002

Kemal Alexander Mericli, Asst-Atty Gen.